

STATEMENT OF BASIS (AI No. 1738)

for draft Louisiana Pollutant Discharge Elimination System permit No. LA0036455 to discharge to waters of the State of Louisiana.

THE APPLICANT IS: Bunge North America, Inc.
Destrehan Facility
12466 River Road
Destrehan, LA 70047

ISSUING OFFICE: Louisiana Department of Environmental Quality (LDEQ)
Office of Environmental Services
Post Office Box 4313
Baton Rouge, Louisiana 70821-4313

PREPARED BY: Kelli Hamilton

DATE PREPARED: March 12, 2010

1. PERMIT STATUS

A. Reason For Permit Action:

Permit reissuance of a Louisiana Pollutant Discharge Elimination System (LPDES) permit for a 5-year term.

B. LPDES permit - LPDES permit effective date: April 1, 2005
LPDES permit expiration date: March 31, 2010

C. Date Application Received: October 1, 2009

2. FACILITY INFORMATION

A. FACILITY TYPE/ACTIVITY - soybean processing and grain elevator facility

The grain elevator is engaged in the receiving, storing, and shipping of grain; the soybean processing facility is engaged in producing soybean oil, soybean meal, and soybean hulls. This is an existing facility.

B. FEE RATE

1. Fee Rating Facility Type: minor
2. Complexity Type: II
3. Wastewater Type: II
4. SIC code: 2075 and 5153

C. LOCATION - 12466 River Road in Destrehan, St. Charles Parish
Latitude 29°56'23", Longitude 90°20'55"

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3. OUTFALL INFORMATION

Outfall 001

Discharge Type: process wastewater, washdown wastewater, boiler blowdown wastewater, cooling tower blowdown, and stormwater runoff

Treatment: biological treatment in an activated sludge (extended aeration) system

Location: at the point of discharge from the treatment system

Flow: 0.144 MGD

Discharge Route: Mississippi River

Outfall 002

Note: Outfall 002 has the same sources and treatment processes as does Outfall 001. This outfall occurs when the lift station for Outfall 001 overflows during periods of high rainfall.

Discharge Type: process wastewater, washdown wastewater, boiler blowdown wastewater, cooling tower blowdown, and stormwater runoff

Treatment: same as Outfall 001

Location: at the point of discharge where the water passes over the concrete retention wall

Flow: 0.211 MGD

Discharge Route: Lake Pontchartrain Drainage System via an unnamed ditch

Outfall 003

Note: Outfall 003 is included to allow the infrequent discharge of stormwater when lift station No. 2 overflows.

Discharge Type: stormwater runoff

Treatment: none

Location: at the point of discharge where the overflow from pump station 2 enters the drainage ditch located on the northeast corner of the site

Flow: intermittent

Discharge Route: Lake Pontchartrain Drainage System via an unnamed ditch

4. RECEIVING WATERS

Outfall 001

STREAM - Mississippi River

BASIN AND SEGMENT - Mississippi River Basin, Segment 070301

DESIGNATED USES - a. primary contact recreation
b. secondary contact recreation
c. propagation of fish and wildlife
d. drinking water supply

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Outfalls 002 and 003

STREAM - Lake Pontchartrain Drainage System

BASIN AND SEGMENT -Lake Pontchartrain Basin, Segment 041201

DESIGNATED USES - a. primary contact recreation
b. secondary contact recreation
c. propagation of fish and wildlife
g. outstanding natural resource waters*

*Outstanding Natural Resource Water is also listed as a designated use of Segment 041201(Bayou Labranche). However, this designated use is applicable only if the discharge is directly into the waterbody and not into a tributary or distributary of the waterbody, per LAC33:IX.1111.

5. **TMDL STATUS**

Subsegment 070301, Mississippi River-From Monte Sano Bayou to Head of Passes, is not listed on LDEQ's Final 2006 303(d) List as impaired, and to date no TMDL's have been established. A reopener clause will be established in the permit to allow for the requirement of more stringent effluent limitations and requirements as imposed by any future TMDLs.

Subsegment 041201, Bayou Labranche-From headwaters to Lake Pontchartrain, is listed on LDEQ's Final 2006 303(d) List as impaired for organic enrichment/low DO, Nitrate/Nitrite, and phosphorus. To date no TMDLs have been completed for this waterbody. A reopener clause will be established in the permit to allow for the requirement of more stringent effluent limitations and requirements as imposed by a TMDL. Until completion of TMDLs for the Lake Pontchartrain Basin, those suspected causes for impairment which are not directly attributed to the soybean processing and grain elevator point source subcategory have been eliminated in the formulation of effluent limitations and other requirements of this permit. Additionally, suspected causes of impairment which could be attributed to pollutants which were not determined to be discharged at a level which would cause, have the reasonable potential to cause or contribute to an excursion above any present state water quality standard were also eliminated.

Organic enrichment/low DO

A BOD₅ limit has been established for Outfalls 001 and 002.

Nutrients

LDEQ's position regarding water quality criteria for nutrients, is that when oxygen-demanding substances are controlled and limited in order to ensure that the dissolved oxygen criterion is supported, nutrients are also controlled and limited. See In The Matter of Sierra Club and Louisiana Environmental Network Request for Nutrient Limits. Docket No. AHD-DR-96001. LDEQ April 29, 1996. LAC 33:IX.2707.D.1.f.iii allows the establishment of effluent limitations based on an indicator parameter for the pollutant of

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effluent limitations based on an indicator parameter for the pollutant of concern. LDEQ's consistent approach to controlling nutrients where the WQMP does not otherwise require specific nutrient limitations is achieved by limiting the discharge of oxygen-demanding substances through BOD₅ limitations. Compliance with the BOD₅ limitations as an indicator parameter will result in the control of nutrients from the discharge sufficient to attain and maintain the applicable water quality standard. Effluent monitoring of the indicator parameter as conducted by the permittee in accordance with the permit in addition to LDEQ's ambient water quality monitoring program will allow for further evaluation by the Department to determine the effectiveness of the limitation. The reopener clause located in Other Conditions of the permit allows the Department to modify or revoke and reissue the permit if the limitations as set on the indicator parameter are shown to no longer attain and maintain applicable water quality standards.

6. CHANGES FROM PREVIOUS PERMIT

There are no changes from the previous permit.

7. COMPLIANCE HISTORY/COMMENTS

A. Compliance History

No records of recent compliance actions were found.

An inspection was conducted December 13, 2006. EDMS document 35598551

B. DMR Review/Excursions - A DMR review was completed for October 2007 through September 2009. The following excursions were reported:

DATE	PARAMETER	OUTFALL	REPORTED VALUE		PERMIT LIMITS	
			MONTHLY AVERAGE	DAILY MAXIMUM	MONTHLY AVERAGE	DAILY MAXIMUM
10/07	TSS	001	25.38	73.36	54	72
	TSS	002	---	208	---	60
12/07	BOD	001	29.62	62.01	36	54
	TSS	001	30.39	72.41	54	72
	BOD	002	---	45.14	---	30
1/08	BOD	002	---	73.2	---	30
	TSS	002	---	160	---	60
4/08	TSS	001	34.17	78.64	54	72

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<u>DATE</u>	<u>PARAMETER</u>	<u>OUTFALL</u>	<u>REPORTED VALUE</u>		<u>PERMIT LIMITS</u>	
			<u>MONTHLY AVERAGE</u>	<u>DAILY MAXIMUM</u>	<u>MONTHLY AVERAGE</u>	<u>DAILY MAXIMUM</u>
5/08	BOD	002	---	33.55	---	30
1/09	TSS	001	27.7	83.12	54	72
7/09	TSS	001	40.35	95.82	54	72
	TSS	002	---	112	---	60
8/09	BOD	001	32.9	111.87	36	54
	TSS	001	78.88	160.8	54	72

8. EXISTING EFFLUENT LIMITS

Outfall 001 -

BOD 36:54 lb/day
 TSS 54:72 lb/day
 Oil and Grease --:15 mg/l
 pH 6-9

Outfall 002 -

BOD --:30 mg/l
 TSS --:60 mg/l
 Oil and Grease --:15 mg/l
 pH 6-9

Outfall 003 -

TOC --:50 mg/l
 Oil and Grease --:15 mg/l
 pH 6-9

9. ENDANGERED SPECIES

The receiving waterbody, Subsegment 070301 of the Mississippi River Basin, has been identified by the U.S. Fish and Wildlife Service (FWS) as habitat for the Pallid Sturgeon, which is listed as a threatened and/or endangered species. The receiving waterbody, Subsegment 041201 of the Lake Ponchartrain Basin is not listed in Section II.2 of the Implementation Strategy as requiring consultation with the U.S. Fish and Wildlife Service (FWS). LDEQ has not submitted this draft permit to the FWS for review in accordance with a letter dated 1/5/10 from Rieck (FWS) to Nolan (LDEQ). As set forth in the Memorandum of Understanding between the LDEQ and the FWS, and based on information provided by the FWS, LDEQ has determined that the issuance of the LPDES permit is not likely to have an adverse effect upon the Pallid Sturgeon. The effluent limitations established in the permit ensure protection of aquatic life and maintenance of the receiving water as aquatic habitat. Therefore, the issuance of the LPDES permit is not likely to have an adverse effect on any endangered or candidate species or the critical habitat.

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10. HISTORIC SITES

The discharge is from an existing facility location, which does not include an expansion on undisturbed soils. Therefore, there should be no potential effect to sites or properties on or eligible for listing on the National Register of Historic Places, and in accordance with the "Memorandum of Understanding for the Protection of Historic Properties in Louisiana Regarding LPDES Permits" no consultation with the Louisiana State Historic Preservation Officer is required.

11. TENTATIVE DETERMINATION

On the basis of preliminary staff review, the Department of Environmental Quality has made a tentative determination to reissue a permit for the discharge described in the application.

12. PUBLIC NOTICES

Upon publication of the public notice, a public comment period shall begin on the date of publication and last for at least 30 days thereafter. During this period, any interested persons may submit written comments on the draft permit and may request a public hearing to clarify issues involved in the permit decision at this Office's address on the first page of the statement of basis. A request for a public hearing shall be in writing and shall state the nature of the issues proposed to be raised in the hearing.

Public notice published in:

Local newspaper of general circulation

Office of Environmental Services Public Notice Mailing List

13. STORM WATER POLLUTION PREVENTION PLAN (SWP3) REQUIREMENT

A SWP3 is included in the permit because in accordance with LAC 33:IX.2511.A.1, storm water shall not be required to obtain an LPDES permit "... except... discharges associated with industrial activity." In accordance with LAC 33:IX.2511.B.14.a-k, facilities classified as SIC code 2075 are considered to have storm water discharges associated with industrial activity.

For first time permit issuance, the SWP3 shall be prepared, implemented, and maintained within six (6) months of the effective date of the final permit. For renewal permit issuance, the SWP3 shall be reviewed and updated, if necessary, within six (6) months of the effective date of the final permit. The plan should identify potential sources of storm water pollution and ensure the implementation of practices to prevent and reduce pollutants in storm water discharges associated with industrial activity at the facility. (see Narrative Requirements for the AI)

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Rationale for Bunge North America, Inc.

1. Outfall 001 process wastewater, washdown wastewater, boiler blowdown wastewater, cooling tower blowdown, and stormwater runoff (estimated flow is 0.144 MGD)

<u>Pollutant</u>	<u>Limitation</u> Mo. Avg:Daily Max	<u>Reference</u>
Flow	Report:Report	See limits justification*
BOD ₅	36:54 lb/day	See limits justification*
TSS	54:72 lb/day	See limits justification*
Oil&Grease	---:15 mg/l	See limits justification*
pH (s.u.)	6.0:9.0 (min:max)	See limits justification*

Treatment: biological treatment in an activated sludge (extended aeration) system

Monitoring Frequency: weekly

Limits Justification: BOD, TSS, Oil and Grease, and pH are permitted based on the previous LPDES permit LA0036455.

2. Outfall 002 process wastewater, washdown wastewater, boiler blowdown wastewater, cooling tower blowdown, and stormwater runoff (estimated flow is 0.211 MGD)

<u>Pollutant</u>	<u>Limitation</u> Mo. Avg:Daily Max (mg/l)	<u>Reference</u>
Flow	Report:Report	See limits justification*
BOD ₅	--:30	See limits justification*
TSS	--:60	See limits justification*
Oil&Grease	--:15	See limits justification*
pH (s.u.)	6.0:9.0 (min:max)	See limits justification*

Treatment: same as Outfall 001

Monitoring Frequency: 1/discharge

Limits Justification: BOD, TSS, Oil and Grease, and pH are permitted based on the previous LPDES permit LA0036455.

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3. Outfall 003 stormwater runoff (estimated flow is intermittent)

<u>Pollutant</u>	<u>Limitation</u> Mo. Avg: Daily Max (mg/l)	<u>Reference</u>
Flow	Report: Report	See limits justification*
TOC	--:50	See limits justification*
Oil & Grease	--:15	See limits justification*
pH (s.u.)	6.0:9.0 (min: max)	See limits justification*

Treatment: none

Monitoring Frequency: quarterly

Limits Justification: TOC, Oil and Grease, and pH are permitted based on the previous LPDES permit LA0036455.

* Existing permits for similar outfalls
 su Standard Units

NOTE

For outfalls containing concentration limits, the usage of concentration limits is based on BPJ for similar outfalls since the flow is variable and estimated.